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Home College Series.

Number ❋ *Sixty-Five.*

BIOGRAPHICAL SKETCHES

OF

RUFUS CHOATE.

BY

REV. DR. C. ADAMS.

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J. H. VINCENT.

NEW YORK, *Jan.*, 1883.

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RUFUS CHOATE.

Rufus Choate was born in Ipswich, Mass., in October, 1799, thus commencing his life with the century. His father was a farmer, and the son, in his boyhood, was occupied principally in farming labors. Yet he early gave evidence that another destiny than that of farming was awaiting him. He was a vigorous youth, apt and strong for labor, and equally apt for all the sports of boyhood, in which he seems to have been a match for every one of his mates. But his unconquerable love for reading and knowledge early developed itself, and before he had completed his sixth year he had become familiar with the "Pilgrim's Progress," a book which he never ceased to reverence and admire. Before he was ten years he had read such books as Rollin's "Ancient History," Josephus, Plutarch's "Lives," Telemachus, and several other works, while the Bible was repeatedly read through, and with more than ordinary thoughtfulness and care.

Young Choate commenced the study of Latin at the age of ten, under a private instructor; and at fifteen he was sent to Hampton Academy, New Hampshire, where he finished his preparatory studies. He then entered Dartmouth College, and his first appearance there is thus portrayed to us: "His classmates remember him as a diffident, modest, beautiful boy, the youngest in the class, with two exceptions; singularly attractive in person and manners; of a delicate frame, with dark, curling hair; a fresh, ruddy complexion, a beautifully ingenuous countenance; his movements marked with a natural grace and vivacity, and his mind, from the first, betraying the spirit of a scholar."

His preparation for college was somewhat imperfect, yet he entered upon his collegiate course with a large amount of

general information for his years, and a thirst for knowledge which no difficulties could quench; he was, also, "free from every taint of vice, generous, enthusiastic, established in general principles, good habits, and good health." He was, from the beginning, remarkably diligent and faithful as a student, and his progress in study and mental discipline was rapid to an extraordinary degree. One of his classmates thus describes the first recitation of Choate, to which he listened: "I watched when Choate got up, and in those clear, musical tones, put Livy's Latin into such exquisitely fit and sweet English as I had not dreamed of, and in comparison with which, all the other construing of that morning seemed the roughest of unlicked babble. After the first sentence or two, I had no doubt who was the first classical scholar among us, or who had the best command of English. I was on one side of the room, and he on the other; and I remember, as if but yesterday, his fresh, personal beauty, and all the graceful charm of modest, deferential look and tone that accompanied the honeyed words."

"What was thus begun he carried through to the end. As early as his Sophomore year he entered upon a course of thorough, systematic study, not with the object of excelling his classmates, but to satisfy the ideal of excellence which filled his own mind. He never, while in college, mingled very freely in the sports of the play-ground, and yet was never a recluse. His door was always open to any one who called to see him. But his example did much to set the standard of scholarship, and to impart a noble and generous spirit to the class and the college."

Nor did young Choate at all decline throughout his entire college course. He seems not to have restricted himself to the mere prescribed lessons of the college curriculum, but he early laid out for himself a systematic and thorough course of studies, with a view to a liberal and complete intellectual training, such as answered his *beau-ideal* of excellence

in scholarship; and his example of diligence and application did much to "impart a noble and generous spirit to the class and the college." Thus, in the classics, in history, and general literature, he read far beyond the requirements of the curriculum, while yet he is represented as having been far less distinguished for his acquisitions, than for his discipline and training, which enabled him to command readily all that he knew.

One who entered Dartmouth as Freshman when Choate was Senior testifies "to the supremacy which he held here, in the unanimous judgment of his fellow-students. No other man was ever mentioned in comparison with him. His public college exercises were of a very uncommon character. Unless I was greatly misled by a boyish judgment at the time, or am strangely deceived by looking at them through the recollections of forty years, no college exercises of an undergraduate that I have ever heard, are at all worthy to be compared with them for beauty of style, for extent and variety of illustration, for breadth and scope, and for manly comprehension of the subject." It should be added of Choate that he was one of those college students, who, while highly distinguished as a scholar, stood, at the same time, equally high in the esteem of his fellow-students. "No student," says his biographer, "ever bore his academic honors with greater modesty, or was regarded by his classmates with a more sincere affection. Envy was swallowed up in admiration."

Mr. Choate was graduated in 1819, with the highest honors of his class. He spent the succeeding year as tutor in the college, and then entered at once upon the study of law. His law studies were pursued partly at Cambridge Law School, and were continued in the office of Mr. Wirt, then Attorney-General of the United States. Here, of course, his advantages for improving his knowledge of men and books were of a superior order. He spent much time in the Congressional Library, and was privileged to listen to such men as

Marshall upon the bench, and Pinckney and others in the Senate. After about a year at Washington he returned home, and completed, at Ipswich and Salem, his studies preparatory to admission to the bar in 1823.

The first four or five years of his practice was in Danvers, which he twice represented, meanwhile, in the State Legislature. It should be recorded, however, for the benefit of such as need such a record, that the early success of Rufus Choate in law business was not such as tended very strongly to his encouragement; and, during the first two or three years of his practice, it was not unfrequently a subject of serious debate with him whether he had not mistaken his calling, and whether he would not better relinquish his profession, and apply himself to some other occupation. He persevered, however, and at length his great diligence and fidelity, joined with the fame of his eloquence and skill, were rewarded with a full share of business. A most important professional trait of Mr. Choate developed itself in the very early stages of his practice—a trait which proved a permanent characteristic throughout his whole brilliant career, and which, doubtless, conduced materially to his distinguished success. We allude here to his marvelous faithfulness to any and every cause which he undertook to manage and defend; and that, too, irrespective utterly of its importance or otherwise, or of any recompense or lack of recompense. "Before a justice of the peace, in an office not larger than a shoemaker's shop, in defense of some petty offender, he poured forth the same wealth of words and illustrations, of humor and wit, and, in its measure, of learning and argument which, afterward, delighted the Supreme Court and Senate. Indeed, throughout his life, he never reserved his brilliant arguments for a suitable audience. He early made it a rule, for the sake of increasing his power as an advocate, to argue, at full length, every case he tried, and do his best on every occasion."

After five years of practice at Danvers, Mr. Choate

removed to Salem. He was now known for his extensive learning, his diligence, excellent judgment, the splendor of his style, and his superior powers as an advocate; and he presently rose to a distinguished position in his profession. He was, at this time, twenty-eight years of age, in full and vigorous health, of pale complexion, and with a countenance handsome and highly intellectual. His practice was now large, and he was connected with grave and important cases. Meanwhile, during all his residence in Salem, he is represented as having been a diligent and untiring student, not only of law, but of the whole circle of literature, and especially of mental and political philosophy. He laid a broad foundation, and was erecting a lofty and beautiful superstructure.

In 1830, two years after his removal to Salem, Mr. Choate was elected to Congress. We have seen that he had already served in the Massachusetts Legislature; so that he was not an entire stranger to political life. But he felt that a more important field would now be opened before him, and a more weighty responsibility involved. He accordingly set himself at once to qualify himself for his prospective work, keeping his eye, during the whole year to intervene, upon the several great public questions upon which he, with his associates, would be called to deliberate in the national councils. He studied the subject of the public lands—their extent, localities, and progress and system of sale. He gave careful attention to the then present attitude of American politics, pondering diligently the measures and policy of the General Government. He investigated the subject of the tariff, and traced its history from the beginning; also the subject of internal improvements, their cost and constitutionality. He pondered the state of British opinion, position of the Southern States, the commerce of the nation, and other subjects of national interest.

All this clearly evinces that, though he was to be one of the youngest members of Congress, he was bent upon being as

fully qualified as an unpracticed member there could possibly be for fulfilling the grave duties of a national legislator. We discern, in fact, one of his very prominent characteristics—the seizing upon every means to fit himself for every task with which he consented to grapple. It was in the genius, the nature of the man, to master every subject appertaining to his calling.

Mr. Choate took his seat in the House of Representatives in December of 1831, not as a novice who had every thing to learn regarding the duties before him. His bearing was modest, he was not forward to speak, but was vigilant and industrious, and giving careful attention to all public questions. He is said to have made but two speeches during the session, one of which was upon the subject of the tariff. It was an afternoon speech ; and few members, at first, were present. Gradually, however, they gathered in as he spoke, while the fascination of his eloquence drew them thickly around him. He spoke in the modest, deferential manner natural to him, with the same delicious, uninterrupted flow of choice words, and with hardly a gesture except the lifting and settling of the upper part of the body ; and he sat down amid the enthusiasm of those who heard him, members of all parties rushing to offer their congratulations. His position as a parliamentary orator was established.

In the spring of 1833 Mr. Choate was again elected to Congress, and by an increased majority. On the 28th of March, 1834, he addressed the House touching the removal of the deposits. Several days afterward, he was followed on the same side by Mr. H———, of Kentucky, a rough and quaint old stager in politics, and who was prone to some severity of criticism upon the efforts of the junior members. Commencing his speech, however, he alluded to his habit of not listening to speeches upon the same side of questions which he himself intended to advocate. "But," said he, "I was compelled to depart from this rule once during this debate.

The member from Massachusetts rose to speak, and, in accordance with my custom, I took my hat to leave, lingering a moment just to notice the tone of his voice and the manner of his speech. But that moment was fatal to my resolution. I became charmed by the music of his voice, and was captivated by the power of his eloquence, and found myself wholly unable to move until the last word of his beautiful speech had been uttered."

At the close of the first session of this Congress, Mr. Choate, having decided to remove to Boston, resigned his seat. At the Boston bar he soon took an elevated position. He was, of course, well known. He already had fame as a lawyer, and his brief but able career in Congress had added to his prestige. Moreover, he was in the full possession of his great powers, and a considerable and a successful practice had given him assurance. While modest and retiring, he yet felt himself a man among men ; and, though of peculiar genius and exuberant eloquence, and of prodigious vehemence and boldness in behalf of his client, yet he was discerned to be as keen as he was earnest, and as logical in argument as he was fervent and rich in his diction, and as learned in law as he was brilliant in tactics and perseverance in the presence of a jury. And then his new position could not fail to inspire such a mind as that of Choate to extra energy. He was now moving and acting in association with some of the giants of his profession. At the Suffolk bar were such men as Franklin Dexter, Jeremiah Mason, and Daniel Webster ; while upon the bench were Hubbard and Wilde and Shaw. Thus he was ushered into an arena where he was to measure strength with men unsurpassed in the whole country for ability and learning in their profession, and he exulted in his great opportunities, and, girding himself to seize upon them, he was "as a bridegroom coming out of his chamber, and rejoiceth as a strong man to run a race."

His biographer thus presents Mr. Choate at this period of

his history: His "professional advancement in Boston was no accident, nor the result of peculiar favoring circumstances. It was the reward of untiring diligence, as well as of great ability. Every day he was gaining ground, enlarging and consolidating his knowledge and invigorating his faculties. A few years served to give him a position second to none except the acknowledged and long-tried leaders of the bar. His consummate judgment in the conduct of a cause, no less than his brilliant power as an advocate, commanded respect from the most able. He knew when to speak, and, what is more difficult, when to be silent. In the most intricate and doubtful case, when fairly engaged, he did not allow himself to despair, and was often successful against the greatest odds. In defeat he was never sullen, and in victory he bore himself with so much modesty and gentleness that few envied his success. He especially attached himself to the younger members of the profession by unvarying kindness. He had great sympathy for a young lawyer. His advice and aid were always ready, voluntarily offered if he thought they were needed, and, if sought, cheerfully and freely bestowed. He assumed no superiority in this intercourse, but, by a kind suggestion or a few words of encouragement, insured success by inspiring confidence."

On the appointment, by President Harrison, of Mr. Webster as Secretary of State, in 1841, the public finger pointed to Choate as his successor in the United States Senate. The idea was very distasteful to Mr. Choate, who was, from the beginning to the end of his career, devoted in heart to the profession and practice of law, and seemed to dread any interference herewith by assuming another position, however honorable. After repeated interviews with him, however, and the greatest urgency on the part of his friends, he suffered his name to go before the Legislature, and he was elected.

Several speeches of Mr. Choate, during this Congress, were of great force and beauty. Among these were his

speech relating to the case of M'Leod and the steamer "Caroline;" a speech touching a National Bank; one for the confirmation of Mr. Everett as Minister to England; a speech on the Bankrupt law; one for Retrenchment and Reform; the Tariff, and several others.

At the meeting of the 28th Congress Mr. Choate resumed his seat in the Senate. Among other important speeches delivered by him during this session was his interesting and successful clinch with Mr. M'Duffee, of South Carolina, when that gentleman was so successfully annihilated. It was in the progress of this debate that Mr. Choate gave his amusing description of the New England climate. Said he: "Take the New England climate in summer. You would think the world was coming to an end. Recent heresies on that subject may have had a natural origin there. Cold to-day; hot to-morrow; mercury at 80° in the morning, with wind at south-west; and in three hours more, a sea-turn, wind at east, a thick fog from the very bottom of the ocean, and a fall of 40° of Fahrenheit; now so dry as to kill all the beans in New Hampshire; then floods carrying off the bridges of the Penobscot and Connecticut; a snow in Portsmouth in July; and the next day a man and a yoke of oxen killed by lightning in Rhode Island. You would think the world was twenty times coming to an end. But I do not know how it is; we go along; the early and the latter rain falls, each in its season; and seed-time and harvest do not fail; the sixty days of hot corn weather are pretty sure to be measured out to us. The Indian Summer, with its bland south-west and mitigated sunshine, brings all up; and on the twenty-fifth of November, or thereabouts, being Thursday, three millions of grateful people, in meeting-houses or around the family board, give thanks for a year of health, plenty, and happiness."

In March, 1845, Mr. Choate retired from the United States

Senate, and resumed the practice of law. From this time, through five succeeding years, he seemed to have diligently and laboriously pursued his profession. During this interval he was engaged professionally in cases of great celebrity, and in which he exerted himself with all his characteristic and great abilities. About this time, however, he seems to have been contemplating a more comprehensive reach of general study and intellectual accomplishments. Indeed, this remarkable man had the seeming of being always and every-where intent upon whetting himself up, so to speak, for a wider, cleaner, and nobler swath along the great field of his untiring and matchless labors.

Somewhere between forty-five and fifty years of his life we read, as follows, from his Journal, omitting, however, much of so interesting an extract :

"It is plain that if I am to do aught, beyond the mere drudgery of my profession, for profit of others or of myself ; if I am to ripen, and to produce any fruit of study, and to construct any image or memorial of my mind or thoughts, it must be done, or be begun, quickly. To this I have admonition in all things. High time—if not too late—it is to choose between the two alternatives : to amuse such moments of leisure, as business leaves me, in various random reading of good books, or to gather up these moments, consolidate, and mold them into something worthy of myself, which may do good when I am not known, and live when I shall have ceased to live—a thoughtful and soothing and rich printed page. Thus far I have squandered these moments away. They have gone—not in pleasure, nor the pursuit of gain, nor in the trivialities of society, but in desultory reading, mainly of approved authors; often, much, of the grandest of the children of light—but reading without method and without results. No doubt taste has been improved, sentiments enlarged, language heightened, and many of the effects—inevitable, insensible, and abiding—of liberal

culture impressed on the spirit. But for all this, who is better? Of all this, who sees the proofs? How selfish and how narrow the couch of these gratifications! How idle the strenuousness of daily labor! How instantly the air will close on this armed path! How sad, how contemptible, that no more should be left of such a life, than of the common-place and vacant and satisfied, on this side and that! I have been under the influence of such thoughts, meditating the choice of the alternative. I would arrest these moments, accumulate them, transform them into days and years of remembrance."

Then follows some sketches of the plan he proposes for himself for a widely extended course of literary work, with a view of filling up the leisure hours when not engaged in professional labors.

After a brief vacation in Europe, Mr. Choate, on his return, at once addressed himself with his usual assiduity to his professional labors, turning aside only for special and important occasions. Among these latter were his participation in the Baltimore Convention of 1852, and his splendid effort there, his great eulogy of Webster at Dartmouth College in 1853, his services in the Massachusetts Constitutional Convention in the same year, and various public addresses, lectures, etc. His general health, bating periodical sick headaches, continued firm through several years, and his industry in his calling and his zeal for self-improvement continued unabated.

Self-improvement, indeed, as this sketch has thus far sufficiently intimated, was with Mr. Choate emphatically a life endeavor. From his college days to his day of death he seems to have suffered no intermission in this great work. Ever accompanying the busy practice of a toilsome profession was a persistent effort for a more finished intellectual discipline and a grander professional power. Thus it transpired that, great as he was as a lawyer and advocate, he was scarcely less great as a scholar, as a man of letters. On

every account he was an ardent lover of books, and while he was profoundly read in law, his general reading was equally extensive. All history, ancient and modern, was at his command, and philosophy, poetry, and fiction were as familiar to him as if literature were his sole profession and occupation. Probably few learned professors connected with the colleges of the country were more intimately conversant with the ancient classics than was this wonderful man. In truth, unlike multitudes of collegiate students at their graduation, he never bade adieu to his Greek and Latin readings, but continued to peruse, more or less critically, the ancient classic authors to the end of his life. At the same time all modern literature was present with him; books were his delight and constant recreation, whose soothing influence upon him in the intervals of professional toil he seems to have realized and enjoyed to an eminent degree. Thus it was from the depths of his own experience that the beautiful eulogy upon books escaped him in the course of his address at the opening of the "Peabody Institute," at Danvers. "Let," said he, "the case of a lawyer testify to the priceless value of the love of reading. He comes home, his temples throbbing, his nerves shattered from the trial of a week; surprised and alarmed by the charge of the judge, and pale with anxiety about the verdict of the next morning; not at all satisfied with what he has done himself, though he does not see how he could have improved it; recalling with dread and self-disparagement, if not with envy, the brilliant effort of his antagonist, and tormenting himself with the vain wish that he could have replied to it, and altogether a very miserable subject, and in as unfavorable a condition to accept comfort from wife and children as poor Christian in the first three pages of 'Pilgrim's Progress.' With a superhuman effort he opens his book, and in the twinkling of an eye he is looking into the full 'orb of Homeric and Miltonic song,' or Pope or Horace laughs him into good humor."

"Books," says one, "were ever his [Choate's] pastime, and books only. In them he literally 'lived, moved, and had his being.' His library was his home. His authors were the loves of his life. Men he was kind to, but I do not think he trusted men much. But his books he believed in with all his soul. He told me that it was a great pastime to him to pull them down and put them up, and re-arrange and fuss over them. He cherished rare editions. He bought books till every inch of space on the walls of his long library was filled, and he said he must put the rest under his bed. He had in his library some eight thousand volumes.

"These books were bought not to be looked at, but to be read. He grasped the thoughts of a book like lightning; and he was forever reading. He read while talking. He read while at his meals. He was at one time so lame as to be unable to walk to and from court; but he had his carriage seat half covered with books, which he consumed as he rode."

We must pass over all further mention of Mr. Choate's three-months' visit to Europe in 1850, and his interesting reflections upon what he saw when abroad. Likewise are we compelled to omit all the eloquent eulogies of him pronounced by eminent men on the occasion of his death. All these varied and eloquent testimonies touching the high character and transcendent abilities of Mr. Choate were exceedingly just, appropriate, and true. Those of us who saw and heard him but seldom could not fail of being deeply impressed, not only with the intellectual greatness, but the whole aspect, action, and bearing, of the man. His personal appearance was striking, and his presence greatly impressive and magnetic. His form was tall, straight, and symmetrical; his hair, long, thick, and bushy, and black as a raven, with his slender and delicate fingers often wandering through its curly mazes; his eye black as the blackest coal, and solemn and piercing as were the strange and almost awful eyes of the great Webster. In youth, his countenance must have

been singularly handsome and attractive; but, in his maturity, a certain air of sadness and weariness seemed to sit upon his fine features, as if he were in need of a long season of rest and recreation. Nor, doubtless, was this seeming at all deceptive. He evidently needed rest long before he consented to accept it. For, as repeatedly noted in this sketch, never could there have been a more laborious, industrious, and faithful worker in his profession. In the preparation of his cases he seemed not to depend upon his vast learning or transcendent genius, or his rich, rapid, and glowing eloquence—in all of which he was excelled by few or none of any age or country. He evidently gave himself to his work with wonderful diligence and assiduity. His clear, keen eye took careful notice of every point, however minute. With him there was no wandering, no yielding, no omission. Never was there a man more devoted—more dedicated, so to speak—to his client. He seemed to lay himself all out—soul, body, and spirit—in subservience to the cause he had undertaken to manage and sustain. No stone was left unturned, no circumstances neglected, no trifle overlooked. At the same time, there was no hurry, no bustle, no movement or word that was hasty, indecorous, or rude. In his entire bearing, while conducting a case in court, he had the seeming of being as calm as he was earnest, and as dignified as he was watchful, and as gentlemanly as he was determined, and as placid as he was industrious.

Writes one who knew him intimately, and who was entirely competent to judge: "He is, above all things else, remarkable for consummate judgment and unerring tact in the management of causes. He is at once earnest and self-possessed; every faculty is aroused and intent. There are no moments of languor, weariness, or inattention. He never makes a mistake himself, or overlooks one in an opponent. He shows the most practiced skill in the examination and cross-examination of witnesses; and, by the magnetism of

his manner, engages the sympathy of the jury in cases where the law and the facts forbid him to win the assent of their understanding."

Listening, in one or two instances, to Mr. Choate, when addressing a jury, and watching his peculiar bearing on these occasions, we were profoundly impressed that, not only in addressing jurors, but in his entire management with them, he probably had no superior in the world. His discourse was in a style as faultless and smooth as that of Addison or Blair, and as perspicuous and transparent as Canning's, accompanied with the richness and splendor of Burke, and uttered with a warm and golden eloquence such as Cicero could have hardly excelled. How he would sometimes spread himself in the presence of those twelve men, especially on occasions of advocating the cause of some criminal on trial for his life! What a tremendous sweep would there be, not only of argument, but of persuasion and feeling! How would those dark and glittering eyes flash along that bench, riveting the eyes of the jurors as if held by the serpent's charm! And no marvel if the advocate, in the midst of his amazing earnestness and pathos, would leave his standing-place, table, notes, opponents, judges, spectators, all behind, and, walking back and forth along the jurors' bench, make his mighty appeal as if to each one, and as if he would storm the citadel of each one's understanding and heart both, and subdue and conquer at all hazards.

Nor were the jury released from his grasp, even when his plea was through and the opposing counsel were proceeding to present another view. His eye was still upon them from moment to moment, and upon every one of them, and his ear intensely awake to detect the slightest error of fact or statement that might, by his inimitable skill, be turned to the advantage of his cause.

It is pleasant to notice that, with all his genuine greatness

and erudition, Rufus Choate seems to have been irreproachable in his private character. He does not appear to have attached himself to any branch of the visible Church, while yet we can hardly separate him from the Christian discipleship. He was ever upright and true—a regular attendant upon public worship—a constant reader of the Scriptures, and daily prayers were read or offered in his family. His domestic character was without blemish; while as a son, husband, and father, he was eminently kind and affectionate. Kindness was a law of his being; and, in all social relations, he seems to have been one of the gentlest of men. There was no haughtiness—nothing overbearing or repulsive.

It is melancholy to note that Mr. Choate drooped when in full possession of his great powers. His health, during the winter of 1858–9, seemed partially failing; and he decided to spend the following summer in the south of England. He accordingly embarked on the 29th of June. On reaching Halifax, however, he was unable to proceed farther on the voyage, and, at the end of ten days, he breathed his last.

The sad tidings at once spread over the United States, and there was general sorrow throughout the land.

RUFUS CHOATE.

[THOUGHT-OUTLINE TO HELP THE MEMORY.]

1. Birth? Love of knowledge early developed? Personal appearance? Impressions made at college? Honors? Law-reading? At the bar? Success not great at first? Doubts? Thoroughness under all circumstances?
2. Congress? Subjects of special investigation? Tariff question? Congress again? Incident?
3. Boston bar? His contemporaries? Success? U. S. Senate? M'Duffee? Europe? Personal appearance at this time? Journal extract? Method with a jury?
4. Religion? Illness? Death?

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